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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,436	07/31/2001	Shrikant Jannu	1541 (4000-02100)	4193
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SPRINT 6391 SPRINT PARKWAY KSOPHT0101-Z2100 OVERLAND PARK, KS 66251-2100			EXAMINER BLAIR, DOUGLAS B	
			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 09/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/919,436

Applicant(s)

JANNU ET AL.

Examiner

Douglas B. Blair

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. Claims 1-21 are currently pending in the application. The 112 1<sup>st</sup> paragraph rejection is withdrawn in light of the applicant's remarks.

### *Drawings*

2. The replacement drawings are accepted by the examiner.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 6-7, and 11-16 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,772,413 to Kuznestov.
3. As to claim 1, Kuznestov teaches a method for asynchronous brokering of messages between middleware computing systems, comprising: receiving a message for a sending middleware computing system into a middleware brokering server (col. 12, lines 39-55); and sending the message from the middle ware brokering server of at least one receiving middleware computing system (col. 7, line 55-col. 8, line 7).

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4. As to claim 6, Kuznestov teaches the method of claim 1 wherein the message is converted from a native language format of the sending middleware computing system to a structured event message format prior to being sent by the middleware brokering server (col. 12, lines 39-55).

5. As to claim 7, Kuznestov teaches the method of claim 6, wherein the message is converted from the native language format by mapping a plurality of fields in the native format into corresponding fields in the structured event message format (col. 10, line 47-col. 11, line 6).

6. As to claim 11, Kuznestov teaches the method of claim 1, wherein the message is converted from a structured event message format to a native language format of the receiving middleware computing system prior to being received by the receiving middleware computing system (col. 10, line 47-col. 11, line 6).

7. As to claims 12-13, they feature the same limitations as claim 11 and are therefore rejected for the same reasons as claim 11.

8. As to claim 14, Kuznestov teaches the method of claim 11, wherein the message is converted from the structured event message format by mapping a plurality of fields in the structured event format into corresponding fields in the native language format (col. 10, line 47-col. 11, line 6).

9. As to claims 15-16, they feature the same limitations as claim 14 and are therefore rejected for the same reasons as claim 14.

***Claim Rejections - 35 USC § 103***

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10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 2-5, 8-10, and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,772,413 to Kuznestov

12. As to claim 2, Kuznestov teaches the method of claim 1, however, Kuznestov does not explicitly teach the types of middleware as being Cobol copybook, JMS message, or CORBA system.

13. Kuznestov teaches that the invention can be used of a large number of different platforms (col. 3, line 33). Cobol copybook, JMS, and CORBA are all well known platforms (It is noted that the applicant's specification does not provide any specific details for translating between any of the above mentioned formats, but rather teaches a generic paradigm for converting between formats).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Kuznestov regarding a system for transforming between multiple middleware system with Cobol copybook, JMS and CORBA because they represent platforms that could be used in Kuznestov's invention (col. 3, line 33).

14. As to claim 3, Kuznestov teaches a method wherein the sending middleware computing system communicates with the middleware broker server via point to point message and wherein the middleware brokering server communicates with the receiving second middleware computer system via publish and subscribe messaging (col. 9, line 34-col. 10, line 5).

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15. As to claim 4, Kuznestov teaches a method wherein the sending middleware computing system of a first message is the receiving second middleware computing system of a second message (col. 9, line 34-col. 10, line 5).

16. As to claim 5, Kuznestov teaches a method of receiving at a second middleware computing system of a first message sending first middleware computing system of a second message (col. 9, line 34-col. 10, line 5).

17. As to claims 8-10 and 17-19, these formats are made obvious for reasons pointed out in the rejection of claim 2.

18. As to claim 20, Kuznestov teaches a publish and subscribe message comprising push-pull paradigm across at least one messaging channel (col. 9, line 34-57, messages are pushed as a stream).

19. As to claim 21, Kuznestov teaches designating quality of service attributes when configuring a channel (col. 10, lines 24-32).

### ***Response to Arguments***

20. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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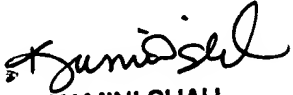
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B. Blair whose telephone number is 571-272-3893. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Douglas Blair

  
KAMINI SHAH  
PRIMARY EXAMINER